



#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Edward J. Ellis, et al.
Serial No. : 09/911,318
Filed : July 23, 2001
For : LIGHTWEIGHT MATERIAL FOR PROTECTIVE PADS, CUSHIONS, SUPPORTS
OR THE LIKE AND METHOD
Examiner : Not yet assigned
Art Unit : 1774
Attorney
Docket No. : 599P002

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Attention: Box Missing Parts

Sir:

The "Notice to File Missing Parts of Application - Filing Date Granted" dated August 31, 2001 (copy of which is attached hereto for the convenience of the Application Branch) has been received. In response thereto there are filed herewith the following items:

1. A Declaration in compliance with 37 CFR §1.63, identifying the application by name of inventor, title of invention, serial number and filing date, properly signed by the inventor (2-Pages).
2. Power of Attorney (1-Page).
3. Correction of Filing Receipt (1-Page).
4. Fee transmittal Form, together with a check in the amount of \$65.00 in payment of the surcharge for late filing.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account 14-0930. A duplicate copy of this sheet is attached.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C. 20231, on September 17, 2001

Signature: Kevin S. Lemack
Date: September 17, 2001

Respectfully submitted,

Kevin S. Lemack
Attorney for Applicants
Registration No. 32,579
Niels & Lemack
176 E. Main Street
Westboro, MA 01581
TEL: (508) 898-1818

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SEP 28 2001
TC 1700



Receipt #

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|----------------------|------------------------|---------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/911,318 | |
| | Filing Date | July 23, 2001 | |
| | First Named Inventor | Edward J. Ellis | |
| | Group Art Unit | 1774 | |
| | Examiner Name | | |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | 599P002 |

| ENCLOSURES <i>(check all that apply)</i> | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers <i>(for an Application)</i> | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Executed Declaration Missing Parts Notice Corrections to Filing Receipt |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|-----------------------------------|
| Firm or Individual name | Kevin S. Lemack Niels & Lemack |
| Signature | |
| Date | September 17, 2001 |

| CERTIFICATE OF MAILING | |
|--|--------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>Sept. 17, 2001</u> | |
| Typed or printed name | Kevin S. Lemack |
| Signature | |
| Date | September 17, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 6 2001

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| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/911,318 | 07/23/2001 | 1774 | 355 | 599P002 | 2 | 11 | 1 |

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CONFIRMATION NO. 3605

FILING RECEIPT



OC00000006503737

Date Mailed: 08/31/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Lynnfield, MA
 Edward J. Ellis, ~~Residence Not Provided~~
 Theodore B. Brother, ~~Residence Not Provided~~
Andover, MA

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/265,763 02/01/2001

Foreign Applications

If Required, Foreign Filing License Granted 08/31/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Lightweight material for protective pads, cushions, supports or the like and method

Preliminary Class



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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/911,318 | 07/23/2001 | Edward J. Ellis | 599P002 |

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CONFIRMATION NO. 3605
FORMALITIES LETTER



OC00000006503738

Date Mailed: 08/31/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
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PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/25/2001 HTECKLU1 00000068 09911318

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